

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

JAMES GARLAND TAYLOR,
#21031009

§

VS.

§

CIVIL ACTION NO. 5:05cv150

WARDEN, F.C.I.

§

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. The Report recommended dismissing the case with prejudice for lack of jurisdiction and without prejudice regarding all other issues.

In response, Petitioner, an inmate confined at F.C.I. Texarkana, filed a motion to dismiss the case with prejudice for lack of jurisdiction and without prejudice regarding all other issues. This Court made a *de novo* review of Petitioner's motion.

This Court finds that the Magistrate Judge's conclusions are correct, and adopts them as the Court's conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that Petitioner's motion to dismiss (dkt#7) is **GRANTED** and that this action is **DISMISSED WITH PREJUDICE** for lack of jurisdiction

and **DISMISSED WITHOUT PREJUDICE** regarding all other issues; and

ORDERS that all motions not previously ruled on are denied.

SIGNED this 18th day of October, 2005.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE